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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/652,540	08/31/2000	Carol Gruchala	8285/389	4775

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EXAMINER NGUYEN, QUYNH H
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ART UNIT 2614	PAPER NUMBER
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DATE MAILED: 06/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

<b>Application No.</b> 09/652,540	<b>Applicant(s)</b> GRUCHALA, CAROL	
<b>Examiner</b> Quynh H. Nguyen	<b>Art Unit</b> 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1)  Responsive to communication(s) filed on Remarks filed 3/6/06.
- 2a)  This action is **FINAL**.
- 2b)  This action is non-final.
- 3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4)  Claim(s) 1-17 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5)  Claim(s) \_\_\_\_\_ is/are allowed.
- 6)  Claim(s) 1-17 is/are rejected.
- 7)  Claim(s) \_\_\_\_\_ is/are objected to.
- 8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9)  The specification is objected to by the Examiner.
- 10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892)
- 2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5)  Notice of Informal Patent Application (PTO-152)
- 6)  Other: \_\_\_\_\_

## DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 recites, "after said routing the telephone call to the first telephone number, detecting an originating dual-tone multi-frequency trigger in the telephone call at the switch". It is unclear as detecting a DTMF trigger in the telephone call at the switch from who? Is it from the caller or the called party?

### ***Claim Rejections - 35 USC § 103***

3. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Contractor (U.S. Patent 6,879,676) in view of Caveney (U.S. Patent 5,953,401).

Regarding claims 1 and 5, Contractor teaches a method of providing a telecommunication service, the method comprising: providing a menu to a caller in a telephone call (col. 5, lines 54-55; col. 6, lines 45-46; col. 7, lines 37-39), the menu providing a plurality of destination options including a first destination option for a family of car dealerships, a second destination option for a first dealership / member of the family at a first location other than the telephone numbers for all of the dealerships, and

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a third destination option for a second dealership / member of the family at a second location other than the telephone numbers for all of the dealerships (col. 5, lines 39-58; col. 6, lines 43-48; col. 7, lines 31-44); receiving from the caller, a first selection of one of the destination options in the telephone call at a switch located within a public switched telephone network (col. 5, lines 59-61; Fig. 2a); using a service control point coupled to the switch to route the telephone call to a first telephone number corresponding to the first selection (col. 6, lines 2-25; col. 6, line 61 through col. 7, line 3).

However, Contractor does not teach detecting an originating dual-tone multi-frequency (DTMF) trigger in the telephone call; interrupting the telephone call to the first telephone number; receiving a second selection of one of the destination options in the telephone call; and routing the telephone call to a second telephone number corresponding to the second selection.

Caveney teaches a call processor for use with a telephone switching system for allowing an incoming caller to complete the call to an internal destination without operator assistance and without receiving a generated voice message wherein detecting a DTMF trigger in the telephone call after the detecting; receiving a second selection of one of the destination options and routing the telephone call to the desired selection (col. 4, lines 29-34).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Caveney into the teachings of Contractor thus having a flexible and sufficient system by allow the caller upon

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completion of his discussion with a particular extension or upon receiving a busy signal to be able to dial other extension without losing the line. For example, the caller would have a chance to interrupt the telephone call to the first telephone number and select another destination without having to hang up and re-dialing the number again.

Regarding claims 2, 6, and 10, Contractor teaches a fourth destination option (col. 5, line 57 - *press 3 for BMW dealership*) for the first member of the family of car dealerships at a third location other than the telephone number of all dealerships (col. 5, lines 39-46), the first location (Ford dealership), and the second location (Toyota dealership).

Regarding claims 3, 7, and 11, Contractor does not teach the second destination option is for a mobile telephone. It would have been obvious to one of ordinary skill in the art at the time the invention was made the second destination, the Ford dealership, or at least one of the sales person would own a mobile telephone, hence the second destination option is a mobile telephone.

Regarding claims 4, 8, and 12, Caveney teaches after detecting the caller dial an asterisk, the process begin over again (col. 4, lines 29-34. However, Contractor and Caveney do not explicitly teach providing at least a portion of the menu in the telephone call after the detecting an originating DTMF trigger in the telephone call. Providing a portion of the menu in the telephone call after detecting an originating DTMF trigger in the telephone call is well known and the advantage of using it is also well known. For example, when a caller dials a number and a phone rings with no answer, the caller

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invokes a DTMF trigger, i.e. press #, then the caller would be connected to a VRU that plays greeting and menu options for the caller again or goes back to the main menu.

Claim 9 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Contractor teaches a computer readable medium having computer readable data (col. 2, lines 31-44; col. 3, lines 31-51).

Regarding claim 13, Contractor teaches receiving a personal identification number in the telephone call (col. 4, lines 18-31).

Regarding claim 14, Contractor teaches the telephone call is initially placed to a toll-free number (col. 8, lines 7-10; col. 6, lines 43-45 - *where Contractor discussed the "311" telephone number is a toll-free number*).

Regarding claims 15-17, Contractor and Caveney do not explicitly teach the telephone network element is part of a public switched telephone network. It would have been obvious to one of ordinary skill in the art at the time the invention was made that the telephone network element where the menu provided to a caller (Fig. 2b, caller 20) is within the public switched telephone network.

### ***Response to Arguments***

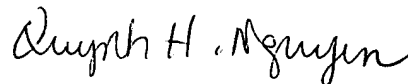
3. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of new ground(s) or rejection. Applicant's arguments are addressed in the above claims rejection.

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 571-272-7489. The examiner can normally be reached on Monday - Thursday from 6:15 A.M. to 5:45 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan, can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**Quynh H. Nguyen**  
**Patent Examiner**  
**Art Unit 2614**